

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
JUSTIN KERKER,

Plaintiff,

-against-

BMDC CONSTRUCTION LIMITED, BMDC:
CONSTRUCTION LLC, AND BEN MULLEN,

Defendants.
-----X

No. 21-cv-9277-PGG-BCM

**MOTION TO WITHDRAW AS
COUNSEL**

Alfons D'Auria, Esq., the undersigned counsel, respectfully moves to withdraw as counsel of record for plaintiff Justin Kerker ("Plaintiff") in the above-captioned matter, as I am no longer an associate at the law firm of Lipsky Lowe LLP. Attorneys of record from the law firm of Lipsky Lowe LLP will continue to represent Plaintiff.

Accordingly, I respectfully request that the Court grant my application to withdraw as counsel of record for Plaintiff and instruct the Clerk of the Court to remove me from any applicable service list and to terminate the delivery of all CM/ECF notices to me in the above-referenced action.

Dated: New York, New York
November 6, 2024

Respectfully submitted,

OGLETREE, DEAKINS, NASH,
SMOAK & STEWART, P.C.

By s/ Alfons D'Auria

Alfons D'Auria

599 Lexington Avenue, 17th Floor
New York, New York 10022
(212) 492-2500
alfons.dauria@ogletree.com